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MEMORANDUM FOR: See Distribution

FROM:


Chief, Legislative Liaison, ICS

STAT

SUBJECT:

Intelligence Community Legislative Program for the
Second Session of the 99th Congress

Attached is a request for inputs to the DCI's Intelligence Community proposed legislative program for the second session of the 99th Congress. Please forward any comments or contributions you may have on these legislative proposals to the undersigned by noon on Friday, 27 September 1985. Your contributions will be assembled into a single ICS response and forwarded to Director, Office of Legislative Liaison, CIA.


STATAttachment:
As Stated

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Page Denied

13 September 1985

CENTRAL INTELLIGENCE AGENCY
AND
INTELLIGENCE COMMUNITY
PROPOSED LEGISLATIVE PROGRAM
FOR THE
SECOND SESSION OF THE 99th CONGRESS

LEGISLATIVE PROPOSALS

99/2 - 1: Fiscal Year 1987 Intelligence Authorization Act

The Director of Central Intelligence will submit to the Office of Management and Budget for clearance a proposed Fiscal Year 1987 Intelligence Authorization Act for transmittal to the Congress.

99/2 - 2: Overcoming Impediments to Naturalization of Certain Persons Contributing to the National Intelligence Mission

The Director of Central Intelligence will submit in the proposed Fiscal Year 1987 Intelligence Authorization Act and may offer in separate legislation an amendment to the Immigration and Nationality Act to authorize the waiver of general residency, physical presence and several other technical requirements which currently impede the naturalization of certain persons who have made a substantial contribution to the national intelligence mission. This proposal may become law as part of the Fiscal Year 1986 Intelligence Authorization Act, but will be pursued in the Second Session of the 99th Congress if it does not.

99/2 - 3: Classified Information Procedures Act Amendments

The Director of Central Intelligence may propose or support amendments to the Classified Information Procedures Act to require a defendant to give notice prior to trial if he intends to claim in his defense that he was, or believed he was, acting on behalf of a federal law enforcement or intelligence agency at the time of the alleged offense.

99/2 - 4: Domestic Relocation Allowances

Pending study of the effects of statutory amendments relating to domestic relocation of federal employees contained in Public Law 98-151 and of legislation introduced in the 99th Congress on this subject, the Director of Central Intelligence may propose legislation to relieve any further inequities still being experienced by Intelligence Community personnel in connection with the allowances payable as a result of permanent changes of station within the United States.

99/2 - 5: Legislation to Ameliorate the Adverse Impact of Federal Retirement System Changes on the Central Intelligence Agency's Ability to Recruit and Maintain the Quality Work Force Essential to the Effective Performance of the National Intelligence Mission

The Director of Central Intelligence will propose, either in connection with the supplemental retirement system for new federal employees, or as an amendment to the Central Intelligence Agency Retirement and Disability System, legislation to deal with the impact of Social Security coverage and federal retirement system changes, particularly with respect to the adverse effect that indiscriminate increases in retirement ages would have on intelligence operations. An Agency proposal in this regard is currently being reviewed by OMB, and pending OMB clearance and transmittal to Congress, could be enacted during this session of Congress. If it is not, similar relief will be pursued in the Second Session of the 99th Congress.

99/2 - 6: Protection of Intelligence Information

The Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act a proposal to provide criminal penalties for willful unauthorized disclosures of classified information by federal employees and others having authorized access to classified information and may support this proposal as contained in other legislation.

99/2 - 7: Retirement Benefits for Agency Employees Serving in Unhealthful Areas

The Director of Central Intelligence will include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation to further amend the Central Intelligence Agency Retirement Act of 1964, as amended, to provide extra retirement credit to Agency employees who serve overseas in unhealthy areas. This proposal may become law as part of the Fiscal Year 1986 Intelligence Authorization Act, but will be pursued in the Second Session of the 99th Congress if it does not.

99/2 - 8: Compensation of Director and Deputy Director of Central Intelligence

The Director of Central Intelligence will include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation to amend title 5, United States Code, to place the positions of Director of Central Intelligence and Deputy Director of Central Intelligence at Executive Schedule Levels I and II, respectively. This proposal may become law as part of the Fiscal Year 1986 Intelligence Authorization Act, but will be pursued in the Second Session of the 99th Congress if it does not.

99/2 - 9: Department of Defense Proprietaries

The Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation which would grant the Department of Defense authority to establish and operate corporations or other business entities in support of authorized and appropriately coordinated intelligence activities.

99/2 - 10: Interlocutory Appeal Authority

The Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation to amend the United States Code to permit an interlocutory appeal by the United States from any decision of a United States court or a judge thereof on any evidentiary ruling or dispositive motion when the Director certifies that the decision being appealed would have an adverse impact on the national security.

99/2 - 11: Remedy for Injuries Arising out of Acts or Omissions of Intelligence Community Personnel

The Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation to amend the National Security Act of 1947 to provide that any cause of action a person may have for injury based on an act or omission of an officer or employee of an intelligence agency would be against the United States exclusively and may support this proposal as contained in other legislation.

99/2 - 12: Miscellaneous CIA and NSA Amendment

In light of the uncertainty created by recent case law concerning alcohol and drug abuse, the Director of Central Intelligence may include in the proposed Fiscal Year 1987 Intelligence Authorization Act legislation to ensure that the Central Intelligence Agency and the National Security Agency are able to continue to deal with security problems in the area of alcohol and drug abuse without regard to the provisions of any other law, rule, or regulation.